DOCKET NO.: MSFT-1956/303857.1
Application No.: 10/643,031
Office Action Dated: October 17, 2007

PATENT
REPLY FILED UNDER EXPEDITED
PROCEDURE PURSUANT TO
37 CFR § 1.114

REMARKS

In summary, claims 1-28 are pending. Claims 1-28 are rejected under 35 U.S.C. § 102. Applicant traverses all rejections. Claim 18 is amended. Claims 19 and 20 are canceled. No new matter is added. Upon entry of the herein arguments, Applicant submits that the application is in condition for allowance.

Overview

Applicant's claimed invention is directed to a mechanism for validating a message. A validation engine walks through the message. For example, in the case of an XML message which can be viewed as a tree data structure, the validation engine may walk through the nodes of the tree in a depth-first traversal order.

When each node is encountered, a table is consulted, which specifies "delegates" to validate the node. A delegate is a named unit of code that can be invoked by the validation engine. The validation engine invokes the delegate that corresponds to the type of node that has been encountered. The validation engine then traverses the subtrees of the current node. As these subtrees are traversed, the tables may be consulted and delegates are invoked in the manner described above. After the subtrees have been traversed, the validation engine consults the table again to determine whether there is a post-handler delegate for the current node. If such a post-handler is specified, then the post-handler is invoked. The delegates evaluate a node under some defined validation standard (e.g., a delegate that validates a city, state, and zip code combination by determining that the combination actually corresponds to a real address in the United States).

Claim Rejections - 35 U.S.C. §102

Claims 1-28 are rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent Application Publication No. 2006/0059107, in the name of Elmore *et al.* (hereinafter referred to as "Elmore").

It is respectfully submitted that a *prima facie* case of anticipation has not been established. It has not been shown, in the instant Office Action, how Elmore discloses or suggests all features of Applicant's claimed invention.

A rejection based on 35 U.S.C. 102(b) can be overcome by persuasively arguing that the claims are distinguishable from the prior art. MPEP § 706.02(b). The claims of the present invention are distinguishable from Elmore because they include elements not disclosed by Elmore.

To anticipate a claim, a reference must teach every claimed element. MPEP § 2131 (emphasis added). Furthermore, the examiner bears the burden of proof to show patent invalidity. See In re Caveney, 761 F.2d 671, 674 (Fed. Cir. 1985). Such proof must amount to a preponderance of the evidence to warrant rejection of claims. *Id.*
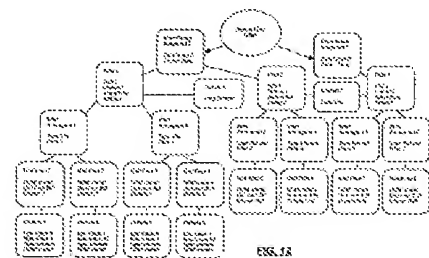
Elmore does not adequately support this burden, because it lacks elements of Applicant's claimed invention. For example, with reference to claim 1, it has not been shown in the instant Office Action how Elmore discloses:

- encountering a first element of the plurality of elements
- consulting one or more validation tables to identify, from among a plurality of validation delegates, a first delegate
- a first delegate that corresponds to said first element
- the one or more validation tables not being schema that describe valid syntax or structure of said text content
- encountering a second element that is a root of a subtree of said first element
- executing said second delegate with the content of the second element to determine whether the content in the second element is valid
- wherein at least one of said first delegate or said second delegate determines whether the content of the element to which it is applied is valid based on at least one non-syntactic condition of the corresponding content

In the instant Office Action, with respect to claim 1, it is asserted that "Elmore discloses validating markup language text." (Page 3 of instant Office Action). However, it is not shown how Elmore validates markup language text. Specifically, it has not been shown how Elmore discloses "text content structured into a plurality of elements comprised of markup and the content, which is delimited by the mark," as recited in claim 1. Further, it is not shown how Elmore discloses "encountering a first element of the plurality of elements" and "consulting one or more validation tables to identify, from among a plurality of validation delegates, a first delegate that corresponds to said first element" as recited in claim 1. The instant Office Action merely points to portions of Elmore that recite phrases of the claims, but the instant Office Action does not show how Elmore discloses the interrelation among the phrases.

In the instant Office Action, with respect to claim 1, it is asserted that "Elmore discloses the use of validation delegates." (Page 4 of instant Office Action). It is not explained what components of Elmore are being equated to validation delegates. And, it is not shown how Elmore uses validation delegates. Specifically, it is not shown how Elmore discloses "consulting one or more validation tables to identify, from among a plurality of validation delegates" as recited in claim 1. Further, it is not shown how Elmore discloses "a first delegate that corresponds to said first element" as recited in claim 1.

Further with respect to claim 1, it is asserted in the instant Office Action the "Elmore discloses a plurality of elements, related to each other in a tree representation, where there exist roots and subtrees of elements in figure 12." (Page 5 of instant Office Action). Applicant does not understand, nor has any explanation been provide, how Figure 12 of Elmore (reproduced herein) discloses "encountering a second element that is a root of a subtree of said first element; consulting the one or more validation tables to identify, from among the plurality of validation delegates, a second delegate; and executing said second delegate with the content of the second element to determine whether the content in the second element is valid,

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wherein at least one of said first delegate or said second delegate determines whether the content of the element to which it is applied is valid based on at least one non-syntactic condition of the corresponding content." as recited in claim 1.

Claim 18 is amended to incorporate the subject matter of claims 19 and 20. Claims 19 and 20 are accordingly canceled.

The foregoing arguments and remarks with respect to claim 1 are also application to claims 2-28. Accordingly, because a *prima facie* case of anticipation under 35 U.S.C. § 102 has not been established, and because Elmore neither discloses nor suggests Applicant's claimed invention including "encountering a first element of the plurality of elements … consulting one or more validation tables to identify, from among a plurality of validation delegates, a first delegate … a first delegate that corresponds to said first element … the one or more validation tables not being schema that describe valid syntax or structure of said text content … encountering a second element that is a root of a subtree of said first element … executing said second delegate with the content of the second element to determine whether the content in the second element is valid … wherein at least one of said first delegate or said second delegate determines whether the content of the element to which it is applied is valid based on at least one non-syntactic condition of the corresponding content", it is requested that the rejection, under 35 U.S.C. § 102, of claims 1-28 be withdrawn.

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CONCLUSION

Applicants respectfully submit that pending claims 1-28 are allowable. Favorable reconsideration and allowance of the present application and all pending claims are hereby courteously requested. If, in the opinion of the Examiner, a telephonic conference would expedite the examination of this matter, the Examiner is invited to call the undersigned representative.

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